

Patent Application Serial No. 10/767,842
Reply to Office Action of February 5, 2008

REMARKS

An RCE is filed with this paper. Claims 1-21 remain in this application. Claims 1, 2, 11, and 13 are amended. The amendments are supported by the disclosure discussed below.

[1-5] The Examiner's remarks are noted. Claim 12 is amended in view of the Examiner's objection. Redundant claim 13 is canceled. Withdrawal of the objection is requested.

[6-9] Claims 1-5 and 11-15 are rejected under 35 U.S.C. §103(a) as being obvious over US 6,950,943 to Bacha, previously applied. This rejection is respectfully traversed.

The Claims. The Examiner is invited to consider, e.g., amended claim 1 in view of the Applicants' Fig. 6. The claimed "electronic data storage system" is exemplified in Fig. 6 by the electronic data storage system 5, described in the specification at 5, page 13, line 20 to page 14, line 16. The last paragraph of claim 1 recites:

*wherein said data processing unit generates said first check code [C(A)] from said electronic data [from outside the system 5, at left] by an encrypting method unique to [within] said system ["ENCRYPT"], generates an electronic signature [*P] for registration by encrypting a hash value [2nd box on left side] of said electronic data with a secret key ["SECRET KEY"], and generates said second check code [C(P)] by an encrypting method unique to [within] said system [5] from said electronic signature for registration [*P] ...*

Fig. 6 shows the storage of the data and the generated entities in the file device 7. The last paragraph of claim 1 then continues,

... said data processing unit verifies the validity of said stored electronic data and said electronic signature [S44 in Fig. 7] by creating a third check code from said electronic data by said encrypting method unique to said system and a fourth check code from said electronic signature for registration by said encrypting method unique to said system, compares said stored first check code

*Patent Application Serial No. 10/767,842
Reply to Office Action of February 5, 2008*

with said third check code and said stored second check code with said fourth check code [page 15, lines 2-11; "OK" in Fig. 8; S46 in Fig. 7], and outputs said electronic data and said electronic signature when said compared result is preferable [S48; leftward arrow in Fig. 8].

Bacha does not disclose or suggest these features.

Bacha Fails to Disclose Two Check Codes. The term "check code" is known in the art, and the Applicants' specification states that the check codes are made by an encryption algorithm unique to the system (Specification page 14, lines 2-3 and 7-8), from hash values.

The Examiner asserts that Bacha discloses two check codes in the storage device (Action at page 3, line 8 of ¶ 7d), but does not identify the asserted check codes by reference numeral, instead citing text of Bacha. In the text relied upon for disclosing the Applicants' check codes, the words "code" and "encryption" do not appear, and the word "check" appears only in reference to a comparison of a time stamp to an actual time. With respect, there is no support for the Examiner's assertion.

Other aspects of Bacha's disclosure also fail to disclose two check codes. One element of Bacha is an electronic signature created by the electronic signature and the time stamp, and another is a second electronic signature created by the first electronic signature and the encrypted document. Neither of these can anticipate the claimed two check codes.

The Applicants previously argued this point, writing (November 13, 2007, at page 11, line 4), "The Examiner asserts ... that Bacha uses check codes, but gives no citation. With respect, it appears to the Applicants that nothing except for the signing keys is attached to the document by Bacha, and the notarization signing key of Bacha does not anticipate the claimed check code." The Examiner has not answered this earlier argument, and now only replies (page 2, ¶ 4) that the Applicants' arguments are moot in view of a new basis of rejection. However, the rejection is the same except that §103 instead of §102 is applied, and the question of whether the

PAGE 11/11 * RCVD AT 7/30/2008 3:02:10 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-4/19 * DNIS:2738300 * CSID:7174261664 * DURATION (mm-ss):10:56,2

BEST AVAILABLE COPY